

Prob 12A (10/16)  
VAE (9/19)

UNDER SEAL

**UNITED STATES DISTRICT COURT**  
**for the**  
**EASTERN DISTRICT OF VIRGINIA**

U.S.A. vs. Prince Lumba Kun Docket No. 2:21CR00103-001

**Petition on Supervised Release**

COMES NOW Jamal D. Parker, PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Prince Lumba Kun, who was placed on supervision by The Honorable Raymond A. Jackson, United States District Judge, sitting in the Court at Norfolk, Virginia, on the 11th day of February, 2022, who fixed the period of supervision at Three (3) Years, and imposed the general terms and conditions heretofore adopted by the Court and also imposed special conditions and terms as follows:

See Page 2.

\*Supervision began on February 11, 2022.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

See Attachment(s)

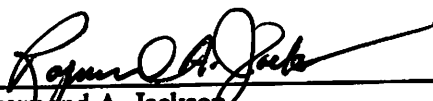
**PRAYING THAT THE COURT WILL ORDER** a warrant to be issued directing that the offender appear before the Court to show cause why supervision should not be revoked.

**It is hereby ORDERED** that the petition, with its attachment and arrest warrant be sealed. **It is further ORDERED** the petition, its attachment and arrest warrant shall remain sealed until the warrant is executed, at which time the petition, its attachment and warrant, should be unsealed and made part of the public record.

**Bond Recommendation: Detention**

**ORDER OF COURT**

Considered and ordered this 25<sup>th</sup> day of Aug., 20 23 and ordered filed and made a part of the records in the above case.

  
Raymond A. Jackson  
United States District Judge

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on: 08/21/23

  
Jamal D. Parker  
U.S. Probation Officer

Place Norfolk, Virginia

**TO CLERK'S OFFICE**

**Petition on Supervised Release**

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**RE: KUN, Prince Lumba**

**OFFENSE:**

Count 1: Stowaways on a Vessel, a Class D Felony.

**SENTENCE:**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of Time Served. Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years. The defendant is also ordered to pay a \$100.00 special assessment.

**SPECIAL CONDITIONS:**

- 1) As reflected in the presentence report, the defendant presents a low risk of future substance abuse, and therefore, the Court hereby suspends the mandatory condition for substance abuse testing as defined by 18 U.S.C. 3563(a)(5). However, this does not preclude the Probation Office from administering drug tests as they deem appropriate.
- 2) The defendant shall undergo a mental health evaluation at a program approved by the United States Probation Office for mental health treatment. The defendant shall follow all recommendations of the evaluation, which may include anger management or medication management. The cost of this program is to be paid by the defendant as directed by the probation officer.
- 3) The defendant shall waive all rights of confidentiality regarding mental health treatment in order to allow the release of information to the United States Probation Office and authorize communication between the probation officer and treatment provider.
- 4) As a condition of supervised release, upon completion of the term of imprisonment, the defendant is to be surrendered to a duly-authorized immigration official of the Department of Homeland Security Bureau of Immigration and Customs Enforcement for repatriation in accordance with established procedures. As a further condition of supervised release the defendant shall remain outside of the United States.

**ADJUSTMENT TO SUPERVISION:**

Kun's term of supervised release began on February 11, 2022, following his sentencing before Your Honor. On that date, Kun was taken into custody by the United States Immigration and Customs Enforcement (ICE) and deported on August 22, 2022. However, it was recently discovered that Kun was detained in Buffalo, New York, by the United States Customs and Border Protection (CBP) following a failed refugee claim with Canada Border Patrol Services Agency (CBSA) on the Peace Bridge on August 8, 2023. During his interview with CBP on August 8, 2023, Kun admitted that he has never been a lawful permanent resident of the United States. He reported that "this time around" he boarded a ship in Belgium that he thought was going to Australia as a stowaway. He noted that after 22 days, he found out that the ship was going to the United States, and he got off the ship in Houston, Texas. Kun reported that he knew he wasn't supposed to be in the United States and decided to go to Canada. To date, Kun is currently being held at Buffalo Service Processing Center in Batavia, New York.

**Petition on Supervised Release**

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**RE: KUN, Prince Lumba**

**VIOLATIONS:** The following violations are submitted for the Court's consideration.

**SPECIAL CONDITION #4:        FAILURE TO REMAIN OUTSIDE OF THE UNITED STATES.**

On August 8, 2023, Kun was detained and taken into custody by the United States Customs and Border Protection (CBP) in Buffalo, New York, following a failed refugee claim with Canada Border Patrol Services Agency on the Peace Bridge.

JDP/jdp